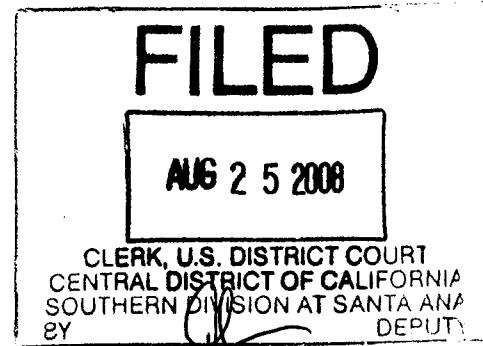


I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
RECORD IN THIS ACTION ON THIS DATE.

DATED: 8-26-08
Jewell

DEPUTY CLERK



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

JAMES DAVID LOGAN, II,) Case No. CV 08-5519-SJO (MLG)
Petitioner,) MEMORANDUM AND ORDER DISMISSING
v.) PETITION FOR WRIT OF HABEAS
JOHN MARSHALL,) CORPUS WITH LEAVE TO AMEND
Respondent.)

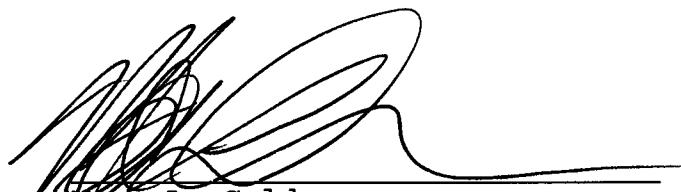
)

Petitioner, a California state prisoner, filed this petition for writ of habeas corpus on August 22, 2008. The petition form is illegible, resulting in the following deficiencies:

- There is no clear statement of what conviction or sentence petitioner challenges, if any. The petition is not coherent,
- There is no information regarding the state appellate history of petitioner's case and no indication of whether or not he has exhausted available state remedies regarding his claim(s);
- The petition form does not clearly set forth the facts supporting petitioner's claim(s); and
- The petition does not clearly state any basis for relief.

1 Based on the above-noted deficiencies, the petition is DISMISSED
2 with leave to amend. Petitioner may file a "First Amended Petition"
3 not later than 30 days from the date of this order. To that end, the
4 Clerk is instructed to send to petitioner with this order a copy of
5 the latest version of form Civ 69 - Petition for Writ of Habeas
6 Corpus by a Person in State Custody, pen-changed to reflect "First
7 Amended" Petition. Petitioner is advised that no attachments may
8 accompany the First Amended Petition except for a SINGLE page
9 inserted behind page 6 of the form, if required. **Petitioner is**
10 **further advised that if he fails to file a First Amended Petition in**
11 **accordance with the requirements of this order and in a manner which**
12 **can be read and understood, the action will be subject to dismissal**
13 **without further notice.**

14 Dated: August 25, 2008



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17 Marc L. Goldman
18 United States Magistrate Judge
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